

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services - Endowments Department - Sri G.V.Narasimha Murthy, formerly Executive Officer, Sri Varaha Laxmi Narasimha Swamy Devasthanam, Simhachalam, Visakhapatnam (now retired - Charges framed - Inquiring Authority appointed - Hon'ble APAT in its orders dated 04.03.2010 in OA No 2250/2007 filed by Sri G.V. Narasimha Murthy, Additional Commissioner, Endowments, (Retd.) has set aside charges - Government filed appeal in High Court - Hon'ble High Court in its Common orders dated 10.4.2014, in W.P.Nos.24968, 24971 & 25227 has dismissed the WP - APAT orders Implemented - Orders - Issued.

REVENUE (VIG.IV) DEPARTMENT

G.O.Rt.No.92

Dated: 27-01-2016
Read the following:

- 1)From the DG, ACB, Hyderabad, Lr.Rc.No.59/RE.WVP/96, dt.28.09.1999.
- 2)G.O.Rt.No.1556, Revenue (Vig.IV) Dept., dt.28.09.2004.
- 3)W.S.D. of G.V. Narasimha Murthy ADC (Retd) dated 19.10.2004
- 4)G.O.Ms.No.1357, Revenue (Vig.IV) Dept., dt.26.11.08.
- 5)Orders dated 04.03.2010 in O.A.No.2250/2007, filed by Sri G.V. Narasimha Murthy, Additional Commissioner (Retired).
- 6)Hon'ble High Court in its Common orders dated 10.4.2014, in W.P. Nos. 24968, 24971 & 25227 filed by Government.

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ORDER :

In the reference 1st read above, the Director General, Anti-Corruption Bureau, Hyderabad has conducted a detailed enquiry in to the allegations leveled against the officials of Endowments Department including those in Commissioner's Office that they have grabbed temple land at Simhachalam without obtaining permission of the Government/ Commissioner, Endowments Department and misused their official position not only at Simhachalam but also in other important towns in A.P., and that they have violated conduct rules and acquired properties disproportionate to the known sources of their income.

2. In the reference 2nd read above, Government have framed charges against Sri G.V. Narasimha Murthy, formerly Executive Officer, Sri Varaha Laxmi Narasimha Swamy Devasthanam, Simhachalam, Visakhapatnam (retired) and directed to submit his written statement of defense. In the reference 3rd read above, Sri G.V. Narasimha Murthy has submitted his written explanation and requested the Government to drop the charges framed against him.

3. Government after careful examination of the explanation submitted by the Charged officer have entrusted the case to the Commissioner of Inquires and appointed Sri Janak Raj, IPS (Retd.), Member, Commissioner of Inquiries as Inquiry Officer vide reference 4th read above.

4. Sri G.V.Narasimha Murthy, Additional Commissioner, Endowments, (Retd.) has filed O.A.No.2250/2007 in the A.P. Administrative Tribunal challenging the charges framed against him. The A.P.Administrative Tribunal in its orders dated 04.03.2010 among others have ordered as follows:

“For the above reasons, the charge memo in G.O.Rt.No.1556, dated 29.09.2004 issued by the Respondent is liable to be set aside and it is accordingly set aside and the OA is allowed”.

5. Government after examining the orders of A.P.Administrative Tribunal have filed an Appeal in High Court vide WP No 24971/13. The High Court in its common orders dt.10.4. 2014, in W.P.Nos.24968, 24971 & 25227 among other things has ordered as follows :-

(p.t.o)

“It is not the case of the petitioner herein that any one of the charged officers delivered or handed-over advance possession or alienated the land in favour of the Society. Charges leveled against the charged officers that they obtained house plots in the Society in their official capacity. It is not in dispute before this Court that society according to byelaws allotted house plots in the society by virtue of their membership in the society, but not in the official capacity. Therefore, the charges framed against charged officers do not amount to misconduct because they got the house plots by virtue of membership in the society. As per byelaw No.5 of Society, any person who is employed in Simhachalam Devasthanam and its subsidiary institutions shall be eligible for admission as member. In terms of this byelaw, the charged officers became members of the society. The Board of Governors of society duly admitted the charged officers as members of Society. When the house plot was allotted to each of the charged officers, the same was incorporated in the property statement to the concerned authority. The charged officers have not abused their official position in securing the house plots from the society. It is not in dispute that Sri Y.Srimannarayana as full additional charge of Executive Officer of Simhachalam Devasthanam in proceedings R.C.No.C1/3923/1987, dt: 04.6.1990 had given advance possession of the land to an extent of Ac.10.07 cents to the house building society. Government Pleader representing Additional Advocate General has not denied this fact. It is a case where there is no evidence against any one of the charged officers. Therefore, the Tribunal, after considering all these aspects, rightly allowed the Original Applications and that orders need no interference by this Court as it is a case of no evidence at all to show about the misconduct. None of the findings of the Tribunal is shown to be perverse. Accordingly the writ petitions are dismissed”.

6. Government after examination of the orders of High Court dated 10.4.2014, in W.P.Nos.24968, 24971 & 25227 have decided to implement the orders of A.P.Administrative Tribunal dated 04.03.2010 in OA No 2250/2010 and drop further action against Sri G.V.Narasimha Murthy, Additional Commissioner, Endowments (Retd).

The Commissioner, Endowments, Andhra Pradesh, Hyderabad is requested to take further necessary action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

J.S.V.PRASAD
PRINCIPAL SECRETARY TO GOVERNMENT

To
Sri G.V.Narasimha Murthy, Additional Commissioner, Endowments (Retd)
through the Commissioner of Endowments A.P., Hyderabad.
The Commissioner of Endowments Andhra Pradesh, Hyderabad.

Copy to :

The Government Pleader for Services A.P.Administrative Tribunal, Hyderabad
The Advocate General of Andhra Pradesh, Andhra Pradesh High Court, Hyderabad.
The Director General, Anti Corruption Bureau, Andhra Pradesh, Hyderabad.
The Accountant General, Andhra Pradesh, Hyderabad
SF / SC

// FORWARDED :: BY ORDER //

SECTION OFFICER